



PLANNING COMMISSION AGENDA REPORT

VII. 3

MEETING DATE: DECEMBER 10, 2007

ITEM NUMBER:

SUBJECT: PLANNING APPLICATION PA-07-24
1340 LOGAN AVENUE, SUITE A

DATE: NOVEMBER 29, 2007

FOR FURTHER INFORMATION CONTACT: WENDY SHIH, ASSISTANT PLANNER
(714) 754-5136

DESCRIPTION

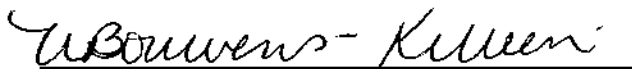
Applicant proposes to legalize an antique automobile restoration business in the front unit of an existing industrial building. Included is a request to legalize outdoor storage behind the building.

APPLICANT

Carolyn Russell is the authorized agent for WKR Properties, Inc.

RECOMMENDATION

Approve by adoption of Planning Commission resolution, subject to conditions.


WILLA BOUWENS-KILLEEN, AICP
Principal Planner


KIMBERLY BRANDT, AICP
Asst. Development Services Director

BACKGROUND

The business consists of the restoration of vintage and antique automobiles. The business owner states that he restores one or two cars a year and, occasionally, he builds or restores a car for someone else and stores antique cars inside the shop to help pay rent and utilities. He does minor fabrication and supplies aftermarket restoration-related parts and materials. Upholstery, paint and powder coating are all subcontracted out. The business owner chose this location because of its proximity to other, auto-related services. The business is low-key, with only one part time employee working in the shop in addition to the owner.

Because automotive repair can adversely impact residential neighbors with noise and odors, any type of automobile repair requires a conditional use permit if located within 200 feet of a residential zone; this property abuts residentially-zoned and developed property to the north.

While researching this request, staff found miscellaneous items stored behind the building. Because the storage covers required parking, a minor conditional use permit is required and was included as part of this CUP request to streamline processing.

ANALYSIS

Conditional Use Permit

The business is located in suite A, at the front of the property, and is separated from the residences to the north by a second suite (B), which is occupied by a woodworking/hobby shop and an approximately 64-foot deep parking lot (currently covered by miscellaneous items). The applicant states that the use has been operating for approximately one year. Staff can find no complaints regarding the use.

It is staff's opinion that approval of the conditional use permit should not adversely impact the neighbors, including the residents to the north, because the use generates little customer traffic with the more intensive repair (body and paint work) subcontracted to off-site locations. Furthermore, other automotive repair uses exists along Logan Avenue.

Minor Conditional Use Permit

Outdoor storage, including miscellaneous items such as cars and an RV, cover required parking behind the building. Planning staff visited the site on several occasions and found that adequate parking exists in front of the building to support the businesses. The outdoor storage can be screened from view by a combination of non-opaque fencing (such as a block wall on the rear property line) and the building. However, there have been occasions where storage items have been placed in the front parking lot or not entirely behind the building.

Since adequate parking appears to exist for the businesses, staff is in support of the request, based on compliance with the proposed conditions limiting storage to directly behind the building and its removal if a need for additional parking arises.

Additional Discussion

A minor conditional use permit to legalize the outdoor storage behind the building has also been filed for the adjoining property at 1346 Logan Avenue and is scheduled for the December 6, 2007 Zoning Administrator decision date. As of the publication of this report, the Zoning Administrator felt that the request could be approved, based on the same justifications presented by staff for the outdoor storage proposed under this application.

GENERAL PLAN CONFORMITY

Due to the size of the building in relation to the lot, low traffic generating uses are the only type of businesses permitted in the building to allow compliance with the floor area ratio parameters of the General Plan. Because of the limited nature of the business, staff considers the automobile restoration use a low traffic generator and believes the restoration business is compatible with the General Plan.

Conditions of approval are included limiting the business to its current operational mode to ensure the business remains a low traffic generator.

ALTERNATIVES

Planning Commission denial of the conditional use permit and/or the minor conditional use permit would require the discontinuation of the business and/or the outdoor storage.

ENVIRONMENTAL DETERMINATION

The project is exempt from the provisions of the California Environmental Quality Act (CEQA) under Section 15301.

CONCLUSION

The automobile restoration use has been operating for approximately a one year with no complaints. The limited nature of the business and its separation from the residentially-zoned property to the north by building, vehicular areas, and a wall should allow it to continue without impact. Other automotive repair uses exists along Logan Avenue. Adequate parking exists to support the existing businesses, even with the outdoor storage. The outdoor storage should not impact subject or surrounding properties if conducted in compliance with the conditions of approval.

Attachments: Draft Planning Commission Resolution
Exhibit "A" - Draft Findings
Exhibit "B" - Draft Conditions of Approval
Applicant's Project Description and Justification
Location Map
Plans

Distribution: Deputy City Mgr.-Dev. Svs. Director
Sr. Deputy City Attorney
Public Services Director
City Engineer
Fire Protection Analyst
Staff (4)
File (2)

Carolyn Russell
WKR Properties
P.O. Box 4280
Costa Mesa, CA 92628-4280

Carolyn Russell
843 Sonora Road
Costa Mesa, CA 92626

File: 121007PA0724	Time: 12:30 p.m.	Date: 112907
--------------------	------------------	--------------

RESOLUTION NO. PC-

**A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF COSTA MESA APPROVING PLANNING
APPLICATION PA-07-24**

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY
RESOLVES AS FOLLOWS:

WHEREAS, an application was filed by Carolyn Russell, authorized agent WKR Enterprises with respect to the real property located at 1340 Logan Avenue, requesting approval of conditional use permit for automobile restoration in suite A and a minor conditional use permit for outdoor storage behind the building in the MG zone; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on December 10, 2007.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", and subject to the conditions contained in Exhibit "B", the Planning Commission hereby **APPROVES** Planning Application PA-07-24 with respect to the property described above.

BE IT FURTHER RESOLVED that the Costa Mesa Planning Commission does hereby find and determine that adoption of this Resolution is expressly predicated upon the activity as described in the Staff Report for Planning Application PA-07-24 and upon applicant's compliance with each and all of the conditions contained in Exhibit "B", as well as with compliance of all applicable federal, state, and local laws. Any approval granted by this resolution shall be subject to review, modification or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

PASSED AND ADOPTED this 10th day of December, 2007.

Donn Hall, Chair,
Costa Mesa Planning Commission

STATE OF CALIFORNIA)
COUNTY OF ORANGE)ss
)

I, Kimberly Brandt, secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on December 10, 2007, by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

Secretary, Costa Mesa
Planning Commission

EXHIBIT "A"**FINDINGS**

- A. The information presented substantially complies with Costa Mesa Municipal Code section 13-29(g)(2) in that the proposed auto restoration use is substantially compatible with developments in the same general area. Granting the conditional use permit will not be detrimental to the health, safety, and general welfare of the public or other properties or improvements within the immediate vicinity. Specifically, the limited nature of the business and its separation from the residentially-zoned property to the north by building, vehicular areas, and a wall should allow it to continue without impact. Other automotive repair uses exists along Logan Avenue. Granting the conditional use permit will not allow use, density or intensity which is not in accordance with the general plan designation for the property because the use is a low-traffic generating use, which fits within the floor area ratio parameters applicable to the property.
- B. The information presented substantially complies with Costa Mesa Municipal Code section 13-29(g)(2) in that the proposed outdoor storage is substantially compatible with developments in the same general area. Granting the minor conditional use permit will not be detrimental to the health, safety, and general welfare of the public or other properties or improvements within the immediate vicinity. Specifically, adequate parking exists to support the businesses, even with the outdoor storage. The outdoor storage should not impact subject or surrounding properties if conducted in compliance with the conditions of approval. Granting the minor conditional use permit will not allow use, density or intensity which is not in accordance with the general plan designation for the property.
- C. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt from CEQA.
- D. The project is exempt from Chapter XII, Article 3, Transportation System Management. Of Title 13 of the Costa Mesa Municipal Code.

EXHIBIT "B"**CONDITIONS OF APPROVAL**

- Plng. 1. The conditional use permit and minor conditional use permit herein approved shall be valid until revoked. However, the conditional use permit and minor conditional use permit shall expire at the end of one (1) year unless a business license is obtained and/or the business legally commences or the applicant applies for and is granted an extension of time. The conditional use permit and minor conditional use permit may be referred to the Planning Commission and Zoning Administrator, respectively, for modification or revocation at any time if the conditions of approval have not been complied with, if the use is operated in violation of applicable laws or ordinances or, if in the opinion of the Development Services Director or his designee, any of the findings upon which the approval was based are no longer applicable.
2. A copy of the conditions of approval for the conditional use permit and minor conditional use permit must be kept on premises and presented to any authorized City official upon request. New business/property owners shall be notified of conditions of approval upon transfer of business or ownership of land.
3. Outdoor storage shall be limited to entirely behind the building. No items shall be stored in the parking lot in front of the building and stored items shall not be visible from the public street. Items shall not be stacked above the height of the surrounding walls/fences. Hazardous materials are prohibited from storage in this area without prior approval from the City of Costa Mesa.
4. If problems arise with the amount of available on-site parking, the applicant shall resolve the situation, including the removal of the outdoor storage, if necessary.
5. The automotive restoration business shall be limited to:
- a. The restoration of antique automobiles, with a maximum of two cars per year;
 - b. A maximum of 1 employee in addition to the business owner;
 - c. Minor fabrication and supplying aftermarket restoration related-parts and materials; and
 - d. Minor work. More intensive work such as upholstery, painting, powder coating, and body work shall be conducted off-site at another facility.

Duffy Enterprises is a small shop with one part time employee I restore antique cars mostly for myself. I restore one or two cars a year. Occasionally I build or restore a car for someone else to help pay for the rent and utilities. I also rent floor space for antique car storage. For all practical intents and purposes it is a hobby shop / storage unit. I mainly want the Logan Ave. location for its close proximity to other auto related services. I am not a drive in auto repair station. I do some minor fabrication and supplying of aftermarket restoration related parts and materials. There is an extremely low volume of cars passing through the shop, three or four cars a year. Upholstery, paint and powder coating are all subcontracted out. I keep a very clean shop with very little traffic, make no noise, and do not work late at night and no impact on the environment and surrounding area.

Regards Ed Duffy

Duffy Enterprises
2542 Elden Ave
Costa Mesa CA 92627
949-646-0561

City of Costa Mesa
1340 LOGAN AVENUE - [Created: 11/28/2007 12:58:55 PM] [Scale: 102.93] [Page: 8.5 x 11 / Landscape]

70

100

110

120

130

140

150

160

170

180

190

200

210

220

230

240

250

260

270

280

290

300

310

320

330

340

350

360

370

380

390

400

410

420

430

440

450

460

470

480

490

500

510

520

530

540

550

560

570

580

590

600

610

620

630

640

650

660

670

680

690

700

710

720

730

740

750

760

770

780

790

800

810

820

830

840

850

860

870

880

890

900

910

920

930

940

950

960

970

980

990

1000

1010

1020

1030

1040

1050

1060

1070

1080

1090

1100

1110

1120

1130

1140

1150

1160

1170

1180

1190

1200

1210

1220

1230

1240

1250

1260

1270

1280

1290

1300

1310

1320

1330

1340

1350

1360

1370

1380

1390

1400

1410

1420

1430

1440

1450

1460

1470

1480

1490

1500

1510

1520

1530

1540

1550

1560

1570

1580

1590

1600

1610

1620

1630

1640

1650

1660

1670

1680

1690

1700

1710

1720

1730

1740

1750

1760

1770

1780

1790

1800

1810

1820

1830

1840

1850

1860

1870

1880

1890

1900

1910

1920

1930

1940

1950

1960

1970

1980

1990

2000

2010

2020

2030

2040

2050

2060

2070

2080

2090

2100

2110

2120

2130

2140

2150

2160

2170

2180

2190

2200

2210

2220

2230

2240

2250

2260

2270

2280

2290

2300

2310

2320

2330

2340

2350

2360

2370

2380

2390

2400

2410

2420

2430

2440

2450

2460

2470

2480

2490

2500

2510

2520

2530

2540

2550

2560

2570

2580

2590

2600

2610

2620

2630

2640

2650

2660

2670

2680

2690

2700

2710

2720

2730

2740

2750

2760

2770

2780

2790

2800

2810

2820

2830

2840

2850

2860

2870

2880

2890

2900

2910

2920

2930

2940

2950

2960

2970

2980

2990

3000

3010

3020

3030

3040

3050

3060

3070

3080

3090

3100

3110

3120

3130

3140

3150

3160

3170

3180

3190

3200

3210

3220

3230

3240

3250

3260

3270

3280

3290

3300

3310

3320

3330

3340

3350

3360

3370

3380

3390

3400

3410

3420

3430

3440

3450

3460

3470

3480

3490

3500

3510

3520

3530

3540

3550

3560

3570

3580

3590

3600

3610

3620

3630

3640

3650

3660

3670

3680

3690

3700

3710

3720

3730

3740

3750

3760

3770

3780

3790

3800

3810

3820

3830

3840

3850

3860

3870

3880

3890

3900

3910

3920

3930

3940

3950

3960

3970

3980

3990

4000

4010

4020

4030

4040

4050

4060

4070

4080

4090

4100

4110

4120

4130

4140

4150

4160

4170

4180

4190

4200

4210

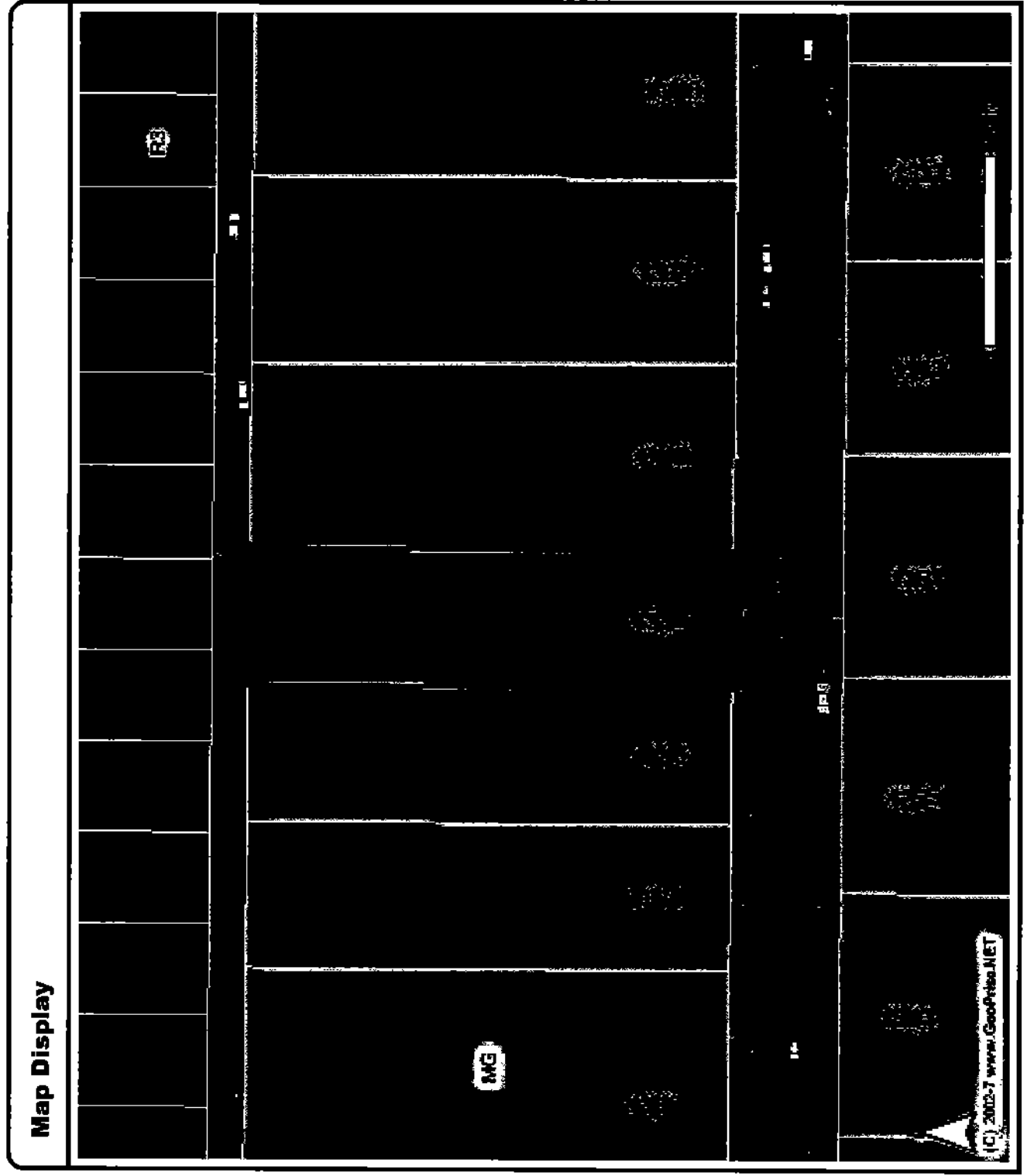
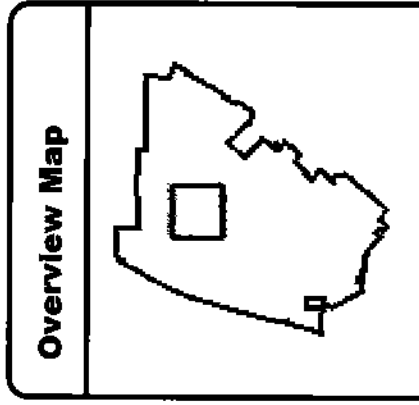
4220

42

Address Range	Primary	SECONDARY	Waterway	Lines	Hydrology	Channel- s	Street Names
Address Points							
Fwy Roads							
Collector							
Freeway							
Major							
Newspost							
BLVD							
(cont.)							

City of Costa Mesa

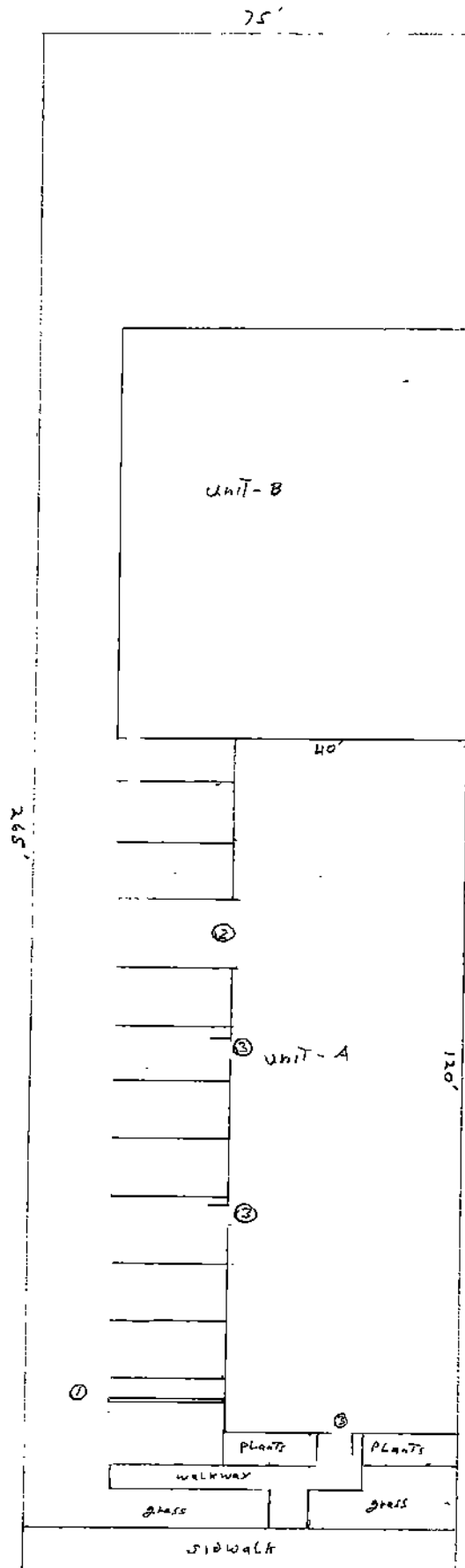
1340 LOGAN AVENUE - [Created: 11/28/2007 12:59:56 PM] [Scale: 102.93] [Page: 8.5 x 11 / Landscape]



For
DUFFY Enterprises
2542 Eldon Ave
Costa Mesa Ca. 92627

APN 141-191-27
1340 Logan Ave
Costa Mesa Ca 92626

SITE MAP



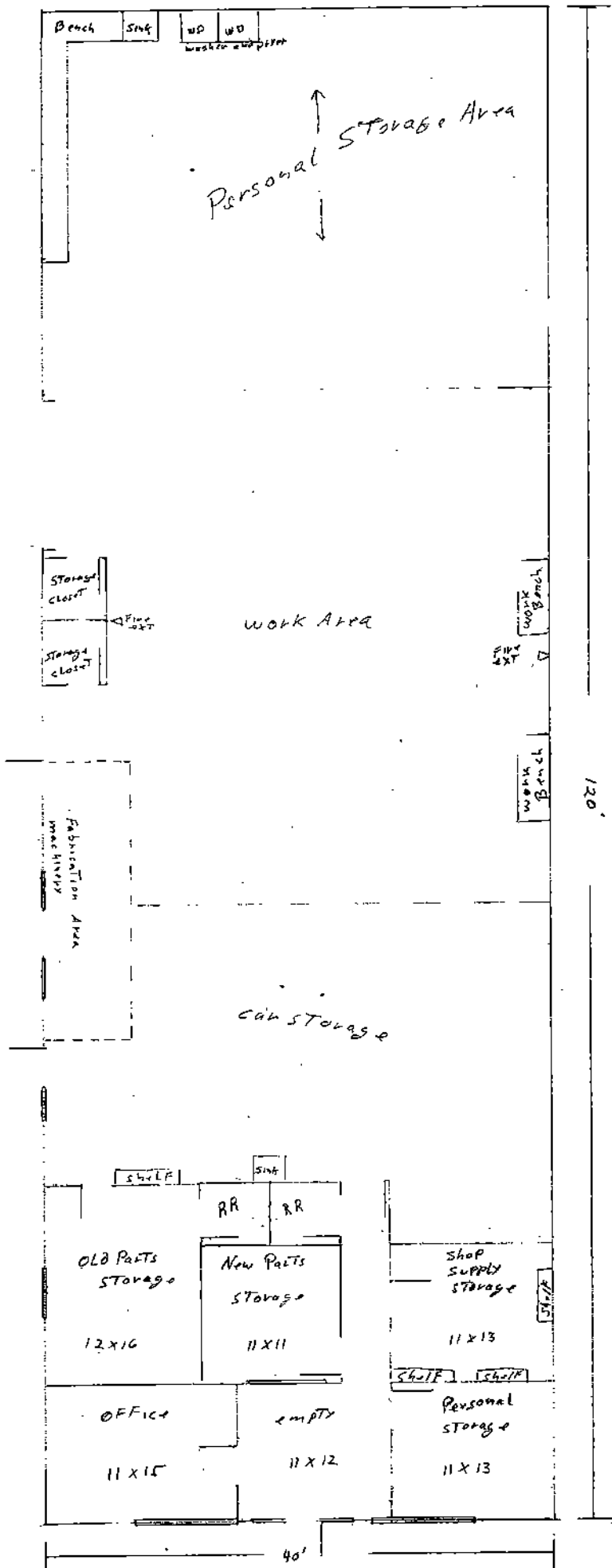
Parking 10x20

- ① Buck wall 20'x7'x8"
- ② Truck Door 12x12
- ③ man Door

Scale: .075" = 1'

Logan Ave

PA-07-24



For DUFFY Enterprises
 2542 ELDER Ave
 COSTA MESA Ca 92627
 949 646 9540



Scale: .180" = 1'

APN 141-191-27
 1340 Logan Ave
 UNIT-A
 COSTA MESA Ca 92626

FLOOR PLAN